

## **IC 22-13-5**

### **Chapter 5. Power of State Building Commissioner to Interpret Building Laws**

#### **IC 22-13-5-1**

##### **"Interested person" defined**

Sec. 1. As used in this chapter, "interested person" refers to a person that has a dispute with a county or a municipality regarding the interpretation of a building law.

*As added by P.L.71-1999, SEC.1.*

#### **IC 22-13-5-2**

##### **Written interpretation of building law issued**

Sec. 2. Upon the written request of an interested person, the office of the state building commissioner may issue a written interpretation of a building law. An interpretation issued by the office of the state building commissioner must be consistent with building laws enacted by the general assembly or adopted by the commission.

*As added by P.L.71-1999, SEC.1.*

#### **IC 22-13-5-3**

##### **Written interpretation binding on interested person and county or municipality**

Sec. 3. (a) A written interpretation issued under section 2 of this chapter binds the interested person and the county or municipality with whom the interested person has the dispute until the written interpretation is overruled in a proceeding under IC 4-21.5.

(b) For purposes of IC 4-21.5, the commission is the ultimate authority regarding a written interpretation issued under section 2 of this chapter.

*As added by P.L.71-1999, SEC.1.*

#### **IC 22-13-5-4**

##### **Published interpretation binding on all counties and municipalities**

Sec. 4. (a) A written interpretation of a building law binds all counties and municipalities if the office of the state building commissioner publishes the written interpretation of the building law in the Indiana Register under IC 4-22-7-7(b). For purposes of IC 4-22-7-7, a written interpretation of a building law published by the office of the state building commissioner is considered adopted by an agency.

(b) A written interpretation of a building law published under subsection (a) binds all counties and municipalities until the earlier of the following:

- (1) The general assembly enacts a statute that substantively changes the building law interpreted or voids the written interpretation.
- (2) The commission adopts a rule under IC 4-22-2 to state a different interpretation of the building law.

(3) The written interpretation is found to be an erroneous interpretation of the building law in a judicial proceeding.

(4) The office of the state building commissioner publishes a different written interpretation of the building law.

*As added by P.L.71-1999, SEC.1.*